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1649 (Box Seq)
Patent

Attorney's Docket No. 001560-308

#22
8/17/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Prior Application No: 08/894,356

Examiner: O. Zaghmout

Art Unit: 1649

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REQUEST FORM FOR CONTINUING PROSECUTION
APPLICATION UNDER 37 C.F.R. § 1.53(d)

Box CPA

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(d) (Continuing Prosecution Application) of prior Application No. 08/894,356, filed on August 18, 1997, for GENE ENCODING A PROTEIN HAVING ACYL GROUP TRANSFER ACTIVITY by the following named inventor(s):

- (a) Full Name Toshihiko ASHIKARI
- (b) Full Name Yoshikazu TANAKA
- (c) Full Name Hiroyuki FUJIWARA
- (d) Full Name Masahiro NAKAO
- (e) Full Name Yuko FUKUI
- (f) Full Name Keiko SAKAKIBARA
- (g) Full Name Masako MIZUTANI
- (h) Full Name Takaaki KUSUMI

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

06/11/2000 SLUANG1 00000034 08894356

01 FC:131
02 FC:103

690.00 OP
414.00 OP



21839

(a) Full Name _____

(b) Full Name _____

(c) Full Name _____

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The above-identified prior application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 C.F.R. § 1.53(b) must be used for applications where the prior application is not to be abandoned.)

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

1. ☐ Enter the amendment previously filed on __ under 37 C.F.R. § 1.116, but unentered, in the prior application.
2. ☐ The election made previously in the prior application does not carry over to this application.
3. ☒ A preliminary amendment is enclosed.
4. ☐ _____ statement(s) claiming small entity status ☐ is/are enclosed
☐ was/were filed in prior Application No. __, filed on __.
5. ☒ The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 3 above:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$690.00 (101)
Total Claims	43	MINUS 20 =	23	× \$18.00 (103) =	\$414.00
Independent Claims	2	MINUS 3 =	-0-	× \$78.00 (102) =	-0-
If multiple dependent claims are presented, add \$260.00 (104)					
Total Application Fee					\$1,104.00
If small entity status is claimed, subtract 50% of Total Application Fee					
TOTAL APPLICATION FEE DUE					\$1,104.00

6. ☐ This application is being filed without a filing fee. Issuance of a Notice to File ^{Missing} Parts of Application is respectfully requested.

7. ☒ A check in the amount of \$ 1,104.00 is enclosed for the fee due.

8. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.

9. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

10. ☒ Priority of Application Nos. 7-67159, filed on February 17, 1995, in Japan; 7-196915, filed on June 29, 1995, in Japan; and 8-46534, filed on January 30, 1996, in Japan (country) are claimed under 35 U.S.C. § 119.

☒ The certified copy of the priority application

☐ is enclosed

☒ was filed on February 16, 1996 in prior Application No. PCT/JP/00348; filed on February 16, 1996

☐ has not yet been filed.

11. ☒ Also enclosed Declaration Pursuant to 37 C.F.R. §§ 1.821-1.825, a paper copy of Sequence Listing and a disk containing the computer readable Sequence Listing.

12. ☒ The power of attorney in the prior application is to Burns, Doane, Swecker & Mathis, L.L.P.

- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Recognize as Associate Attorney or Agent Dawn M. Gardner, Reg. No. 44,118.
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald L. Grudziecki
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

August 10, 2000
Date

By: Ronald L. Grudziecki
Registration No. 24,970

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
- ☐ assignee of complete interest
- ☒ attorney or agent of record
- ☐ filed under 37 C.F.R. § 1.34(a)